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dated 2012-09-05 with RNI  
Reg No.KL/TV(N)/634/2021-2023

കേരള സർക്കാർ  
GOVERNMENT OF KERALA

# കേരള ഗസറ്റ് KERALA GAZETTE

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
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GOVERNMENT OF KERALA  
2021





GOVERNMENT OF KERALA  
Election (General) Department  
NOTIFICATION

No. 1947/EL1/2020/Elec.

*Dated, Thiruvananthapuram, 5th October 2021.*

The Election Commission of India's Order No. KL-HP/SS-II/4/2019, dated 13-9-2021 is hereby published.

By Order of the Governor,

SANJAY M KAUL,  
*Secretary & Chief Electoral Officer.*



**ELECTION COMMISSION OF INDIA**

Nirvachan Sadan, Ashoka Road, New Delhi-110 001

No. KL-HP/SS-II/4/2019.

*Dated, 13th September, 2021.  
22nd Bhadrapada, 1943 (Saka).*

**ORDER**

WHEREAS, the General Election to Lok Sabha of Kerala, 2019 was announced by Election Commission vide Press Note No. ECI/PN/23/2019 dated 10<sup>th</sup> March, 2019. As per the schedule, the date of Counting was 23rd May, 2019.

AND WHEREAS, as per Section 78 of the Representation of the People Act, 1951, every contesting candidate has to lodge a true copy of his account of election expenses within 30 days with the District Election Officer concerned, from the date of election of returned candidate;

AND WHEREAS, the result of the said election was declared by the concerned Returning Officer including 4-Wayanad Parliamentary Constituency in Kerala State on 23<sup>rd</sup> May, 2019. As such the last date for lodging of account of election expenses was 22nd June, 2019.

AND WHEREAS, as per the report dated 25-6-2019 submitted by District Election Officer, Wayanad which was forwarded by Chief Electoral Officer, Kerala vide letter No. 4535/EL1/2019/Elec. dated 5th November, 2019, Sh. Rahul Gandhi, K. E S/o Valsamma, an Independent contesting candidate from 4-Wayanad Parliamentary Constituency in Kerala State, has failed to lodge any account of his election expenses.

AND WHEREAS, on the basis of the reports of the District Election Officer, Wayanad, Kerala and the Chief Electoral Officer, Kerala, a Show Cause Notice dated 10th January, 2020 was issued by Election Commission under Sub Rule (5) of Rule 89 of the Conduct of Election Rules, 1961 to Sh. Rahul Gandhi, K. E S/o Valsamma for non-submission of election expenses;

AND WHEREAS, as per Sub Rule (6) of Rule 89 of the Conduct of Election Rules, 1961, through the above said Show Cause Notice dated 10<sup>th</sup> January, 2020, Sh. Rahul Gandhi, K. E S/o Valsamma, was directed to submit his representation in writing to the Commission explaining the reason for non-submission of accounts and also to lodge his accounts of election expenses/rectify the defects in his accounts and submit the same to the District Election Officer concerned within 20 days from the date of receipt of the notice;

AND WHEREAS, the said notice was received by Sh. Rahul Gandhi, K. E S/o Valsamma, on 3<sup>rd</sup> March, 2020. Acknowledgment receipt obtained from the candidate has been submitted to the Commission by District Election Officer, Kottayam vide his letter No. E1- 106360/18 dated 27th May, 2020.

AND WHEREAS, in the supplementary report submitted by District Election Officer, Wayanad vide his letter DCWYD/13769/2019/E1 dated 24<sup>th</sup> August, 2020, it has been stated that Sh. Rahul Gandhi, K. E. S/o Valsamma has not submitted any representation or his account of election expenses, duly signed along with original vouchers etc. till date. Further, he has furnished neither any reason nor explanation for the said failure even after receipt of the due notice to the Election Commission of India as well;

AND WHEREAS, the Commission is satisfied that Sh. Rahul Gandhi, K. E. S/o Valsamma, has failed to lodge an account of election expenses and has no good reason or justification for the failure;



AND WHEREAS, Section 10A of the Representation of the People Act, 1951 stipulates that:—

“If the Election Commission is satisfied that a person-

- (a) has failed to lodge an account of election expenses within the time and in the manner required by law or under this Act, and
- (b) has no good reason or justification for the failure,

Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from date of the order.”

NOW THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission hereby declares Sh. Rahul Gandhi, K. E. S/o Valsamma, resident of Elayanithottam, Muttappally P. O, Kottayam-686 510, an Independent contesting candidate for General Election to Lok Sabha of Kerala, 2019 from 4-Wayanad Parliamentary Constituency in the State of Kerala, to be disqualified for being chosen as and for being a member of either House of Parliament or the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order.

By order,

(Sd.)

ARAVIND ANAND

*Principal Secretary.*

